

REMARKS

Claims 1 – 156 are pending in the application. Claims 27 – 80 and 106 – 152 have been withdrawn from consideration. Claims 1 – 26, 81 – 105, and 153 – 156 stand rejected in the application. Claims 1, 81, and 153 – 156 have been amended to further clarify the invention.

Claims 1 – 26, 81 – 105, and 153 – 156 are presented for reconsideration.

The Examiner rejected claims 1 – 26, 81 – 105, and 153 – 156 under 35 U.S.C. § 103(a) as being unpatentable over *Vicknair et al.* (US 2003/0208421), in view of *Bellinger et al.* (US 5,870,725), admitted prior art (APA), and *Geer* (US 5,930,778). This rejection is respectfully traversed.

With regard to claim 1, the Examiner's position is that *Vicknair* discloses all limitations of the claim except for "a source key generated by a sender of electronically presented items, and for each item received at a second time, assigning an image sequence number to the item, associating the item's image data with the item's image sequence number and associating the item's image sequence number with the item's source key to preserve a linkage integrity between the item and the item's image data." The Examiner is relying on *Bellinger* for disclosing "for each item received at a second time, assigning an image sequence number to the item (image identification key), associating the item's image data with the item's sequence number and associating the item's image sequence number with the item's source key (MICR data) and to preserve a linkage integrity between the item and the item's image data." The Examiner is also relying on both *Vicknair* and *Bellinger* for disclosing that the matching step is performed by an

electronic item presentment computer.” The Examiner is relying on *Geer* for disclosing “a source key generated by a sender of the electronically presented items.”

The Examiner’s rationale for combining *Vicknair* with *Bellinger* is “to provide check image and electronic check code line MICR data in a useful and manipulative format ... and the user is enabled to index the data and cross-reference digital image of an item with check record (MICR) in more cost efficient manner using computer.” The Examiner’s rationale for combining *Vicknair*, *Bellinger*, and *Geer* is “to provide an expedited processing of checks and cash items received by a payee and generate an image of a physical check and assign a source key (document identification number) to associate the image of the physical check with electronic record of the check in transmitting (electronic transporting) to aid and subsequent location (payor’s bank) and retrieval of the information concerning the particular check efficiently a reduce cost and being in compliance with CTA.” The Examiner concluded that “the claimed invention is merely a combination of old elements, and in the combination each element would merely perform the same function as it did separately, and one of ordinary skill in the art would recognize that the results of the combination were predictable.” Applicants disagree for the reasons provided in the following discussion.

In the following paragraphs, the teachings of *Vicknair*, *Bellinger*, and *Geer* will be discussed in sequence. *Vicknair et al.* discloses that a receiving institution digitally images the physical checks as they arrive subsequent to posting of the ECP items. During the proofing process, in which the data records for the ECP items are validated against the data records for the physical items, the records are updated such that the posting date and Item Sequence Number

(ISN) number for the data records for the physical items reflect the posting date and ISN number of the ECP items. As the digital images of the checks created at the receiving bank are matched to ECP items, the digital images are assigned the same posting ISN and posting date given to the item when it was presented via the ECP process (Para. 37, Fig. 2). The item sequence numbers for the data records for the physical items are discarded such that the second records are indexable according to the first item sequence number (see claim 1). *Vicknair et al.* also discloses that by assigning the same ISN to both the ECP item and the digital images of the physical item there is no longer a need for the cross-reference file to correlate the ISN for an item in the ECP and the ISN associated with the image of the physical item which was on microfilm in the prior art (Para. 38). However, the digital images still have to be matched with the ECP items before the same ISN number can be assigned to the image data.

Generating the source key *by the sending institution* creates an absolutely accurate and direct linkage between the item's image data, also generated by the sending institution, the posting record (receiver assigned key), and the sender's source information. The source key generated by the sender is more than an item sequence number. As recited in claim 2, the source key comprises a source sequence number, a source identifier, and a source processing date. *Vicknair et al.* does not disclose the use of a source key generated by a sender of the electronically presented items to correlate a plurality of electronically presented transaction items with image data received from the sending institution. *Vicknair et al.* teaches away from generating an image sequence number for each item in the batch from the transmitting bank (Para. 34) in order to correlate ECP items and images. This is equivalent to teaching away from

use of a sender-generated source key since the sender-generated source key is used to correlate ECP items and images during ECP processing at the receiving institution. *Vicknair et al.* fails to disclose associating the item's EIP sequence number with the item's *source key that is generated by a sender* of the electronically presented items recited in the second step of claim 1, and receiving from the sending financial institution digitized image data associated with the item's sender-generated source key recited in the third step of the claim. Since *Vicknair et al.* does not disclose the use of a source key generated by the sending institution, it does not disclose matching the source key generated by a sender of the electronically presented items, and associated with the item's EIP sequence number, with the source key associated with the item's image sequence number as recited in the matching step of the claim.

Bellinger et al. discloses that images of cleared checks are captured at the receiving institution and combined with posted MICR data and customer supplied account information. An image identifier key is associated with the MICR data on the check. The Account Reconciliation Plan (ARP) extracted posted MICR data is then matched with the recaptured MICR data and associated with the captured image data so that each item identified as having an image has the image identification key associated with the full transaction record data (col. 15, ll. 1 – 24). Since the receiving institution images the cleared checks, *Bellinger* does not disclose *receiving image data from the sending institution* at a second time recited in the third step of the claim. The Recapture Match process disclosed by *Bellinger* links posted MICR code line data captured when the item was originally posted to each customer's account to the Image Access Key for the recaptured image of the item that was assigned during the high speed image capture

(col. 19, ll. 40 – 440. *Bellinger* fails to disclose associating the item's image sequence number (i.e., Image Access key) with the item's source key that is generated by a sender of the electronically presented items in order to preserve linkage integrity between the item and the item's image data. Furthermore, since *Bellinger* does not disclose the use of a source key generated by the sending institution, it does not disclose matching the source key generated by the sender of the electronically presented items, and associated with the item's EIP sequence number, with the source key associated with the item's image sequence number as recited in the matching step of the claim.

Geer discloses that an electronic scanning means at a first location established by the payee receives the financial instruments, scans and extracts necessary data including the data of the MICR line, adds data such as the amount and a document identification number to the electronic information associated with each check, and sends this electronic information to the payee's depository bank for further electronic sorting and processing. The payee is typically a utility, bill payment company, credit card company, mail order processor, or other commercial entity (col. 1, ll. 36 – 41). The financial instruments are typically imaged for archive storage at the payee's location remote from the depository bank (col. 5, ll. 1 – 4). The document control number added by the payee is associated with MICR line data, but is not associated with a check image (see claim 1 element (e); claim 3, claim 7). The document control number is not used to correlate electronic check presentment items with check image data. Furthermore, the transactions disclosed by *Geer* involving the document identification number are between the payee and the payee's depository bank, not between sending and receiving financial institutions.

The document identification number disclosed by *Geer* is not equivalent to a source key generated by the sender of electronically presented items wherein the sender is a financial institution and the source key is used to correlate (match) EIP data with image data.

In summary, *Vicknair* does not disclose associating the item's EIP sequence number with the item's source key that is generated by a sender of the electronically presented items, and receiving digitized image data associated with the item's source key. Furthermore, *Vicknair* does not disclose matching a source key associated with the item's EIP sequence number with the source key associated with the item's image sequence number. Neither *Vicknair* nor *Bellinger* discloses associating the item's image sequence number with the item's source key that is generated by a sender of the electronically presented items. Since *Vicknair* teaches away from the use of a separate item sequence number after MICR data is matched to check images, and *Bellinger* teaches the use of a separate image sequence number to link to MICR data, it is not clear how combining the teachings of *Vicknair* and *Bellinger* would result in enabling a user "to index the data and cross-reference digital image of an item with check record (MICR) in more cost efficient manner using computer." *Geer* does not disclose generating a source key by a sending financial institution in order to match MICR data and image data at a receiving institution. Since *Vicknair* and *Bellinger* provide separate methods for linking images to MICR data, it is not clear how combining the teachings of *Geer* with the teachings of *Vicknair* and *Bellinger* would result in the expedited processing of checks or aid in the subsequent location and retrieval of information concerning a particular check. The only difference between the document control number disclosed by *Geer* and the item sequence number disclosed by

Vicknair or the capture sequence number associated with MICR data disclosed by *Bellinger*, appears to be whether the control number or sequence number is generated by the sender or receiver of the MICR data. None of these references discloses a search key generated by the sending financial institution to link ECP item transaction data with image data.

In view of the preceding arguments, claim 1 is allowable over the combination of *Vicknair*, *Bellinger*, and *Geer*. Claims 2 – 26 depend from claim 1 and are allowable for at least the same reasons as claim 1. In addition, claims 2, 3, 7, 15, and 23 each provide additional limitations associated with the source key that is generated by a sender of the electronically presented items. Since none of *Vicknair*, *Bellinger*, and *Geer* discloses use of a source key generated by a sending financial institution, the additional limitations of these dependent claims are not disclosed by these references. Claims 153 and 155 parallel the limitations of claim 1 and are allowable over the combination of *Vicknair*, *Bellinger*, and *Geer* for at least the same reasons as claim 1.

With further regard to claim 155, *Vicknair* teaches away from the use of a cross-reference file (Para. 38, 42; Figs. 2 – 4, item 140), and thus does not teach a cross-reference processor module with the functionality recited in the claim. Neither *Bellinger* nor *Geer* discloses a cross-reference processor module with the functionality recited in claim 155. Therefore, claim 155 is allowable over the combination of *Vicknair*, *Bellinger*, and *Geer* for this additional reason.

With regard to claim 81, items are received electronically by an electronic item presentment computer wherein each item received from a sending financial institution includes a source key that is generated by the sender of the electronically presented items, and transaction

data and image data both associated with the sender-generated source key. An image sequence number is assigned to each item received to associate the item's image sequence number with the item's source key to preserve a linkage integrity between the item and the item's image data. Neither *Vicknair* nor *Bellinger* discloses (1) associating transaction and image data with a source key that is generated by the sender of the electronically presented items, and (2) assigning an item's image sequence number with the item's source key to preserve linkage integrity between the item and the item's image data as recited in claim 81. *Vicknair* discloses that item sequence numbers for the data records for the physical items are discarded such that the second records are indexable according to the first item sequence number. Therefore, *Vicknair* teaches away from assigning an image sequence number to the item and associating the item's image sequence number with a source key that is generated by the sender of the electronically presented items to preserve linkage integrity after the item is received. *Bellinger et al.* discloses that images of cleared checks are captured at the receiving institution and combined with posted MICR data and an image identifier key is associated with the MICR data on the check. *Bellinger* fails to disclose associating the item's image sequence number (i.e., Image Access key) with the item's source key that is generated by a sender of the electronically presented items in order to preserve linkage integrity between the item and the item's image data. As discussed above with regard to claim 1, the document identification number disclosed by *Geer* is not equivalent to a source key generated by the sender of electronically presented items wherein the sender is a financial institution and the source key is used to correlate (match) EIP data with image data. Applicants also incorporate

by reference other arguments presented above with regard to the teachings of the *Vicknair*, *Bellinger*, and *Geer* references.

In view of the preceding arguments, claim 81 is allowable over the combination of *Vicknair*, *Bellinger*, and *Geer*. Claims 82 – 105 depend from claim 81 and are allowable for at least the same reasons as claim 81. In addition, claims 84, 85, 89, 94, and 101 each provide additional limitations associated with the source key that is generated by a sender of the electronically presented items. Since none of *Vicknair*, *Bellinger*, and *Geer* discloses use of a source key generated by a sending financial institution, the additional limitations of these dependent claims are not disclosed by these references. Claims 154 and 155 parallel the limitations of claim 81 and are allowable over the combination of *Vicknair*, *Bellinger*, and *Geer* for at least the same reasons as claim 81.

With further regard to claim 156, *Vicknair* teaches away from the use of a cross-reference file (Para. 38, 42; Figs. 2 – 4, item 140), and thus does not teach a cross-reference processor module with the functionality recited in the claim. Neither *Bellinger* nor *Geer* discloses a cross-reference processor module with the functionality recited in claim 156. Therefore, claim 156 is allowable over the combination of *Vicknair*, *Bellinger*, and *Geer* for this additional reason.

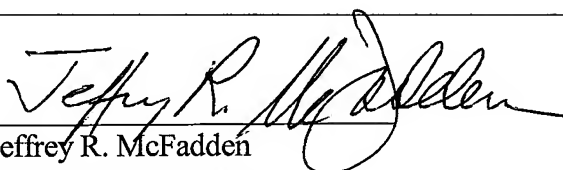
In view of the above remarks, it is submitted that the claim rejections of the Examiner have been properly addressed and the pending claims are in condition for allowance. It is respectfully requested that the Examiner enter this response and reconsider and withdraw the rejection of the pending claims. It is also requested that the Examiner contact Applicants'

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attorney at the telephone number listed below should this response not be deemed to place this application in condition for allowance.

Respectfully submitted,

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